



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,656	07/13/2001	Sang IL Seo	0630 - 1284P	1832
2292	7590	04/06/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			NATNAEL, PAULO S M	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,656

Applicant(s)

SEO ET AL.

Examiner

Paulos M. Natnael

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,5-17 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-3,5-17 and 19-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

3DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/9/06 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims **2-3,5-8,9-17,19-23** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

While the specification discloses input apparatus for inputting user commands, and output apparatus for outputting signals, nowhere in the original specification is disclosed determining or generating "a contents request signal". Therefore, in claims

2,9,22, the claimed phrase generating or determining “a contents request signal” is new matter. If applicant contents this is not new matter, specific location, i.e., page #, line # in the original specification should be pointed out. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **24-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani U.S. Pat. No. 6,490,002 in view of Kambe, U.S. Pat. No. 6,487,305.

Considering claims **24-26**, Shintani teaches supplemental data path for supporting OSD from external sources in a TV receiver, comprising an STB 100, an analog path 180, a digital path 160, and HDTV 140 (fig.1). Shintani discloses that when the OSD information is needed, the HDTV switches the display input to the analog signal carrying the STB OSD information...In other embodiments, the OSD information for the STB is transmitted out of the STB along the digital transport stream, along with the HD signal data, via a high speed digital interface. See col. 3, lines 17-32. Shintani does not specifically disclose whether or not volume comparison of the OSD takes place at the STB. However, the disclosure on col. 3, lines 17-32 clearly suggests the system of Shintani (the STB, in particular) is capable of such comparison; because the system is

able to choose the digital or analog path. Also, it is well known in the art of data communication that digital images such as bitmap files have large data size as compared with text files. Digital images take a huge amount of memory space. In addition, their large file size makes digital image data files consume large amounts of computer resources and network bandwidth to process and transmit them over a network. Image data transmission rate are therefore very slow as a result. In the communication art, therefore, it is desirable to try to reduce the amount of computer memory consumed and data transmission time to transfer images by creating ways to reduce image data size, etc. In this regard, Kambe et al. teaches: a volume of data required to express the graphical information of the composing objects in a graphic space can be reduced as compared with a volume of image data expressing graphical information of the composing objects. Also, in cases where a user desires to transmit the graphical information of the composing objects from information providing apparatus to an information terminal apparatus, because the data volume of the graphical information is reduced, the user can transmit the graphical information through a communication network at high speed. Also, even though the communication network is a radio circuit, the geographical information can be reliably transmitted to the information terminal apparatus. See col. 16, lines 52+.

Therefore, since it is well known in the art to transmit digital image data dictating by the size or the volume of the data to be transmitted, and since it is also well known in the art of data transmission that the more the volume of the image data such as graphics the more time and bandwidth it takes or consumes, it would have been

obvious to the skilled in the art at the time the invention was made to modify the reference of Shintani using the teaching of Kambe by comparing the digital (OSD or graphics) data and choose or select to transmit in analog channel/format or digital channel/format.

Response to Arguments

6. Applicant's arguments with respect to claims **2-3,5-8,9-17,19-26** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakayama et al., U.S. Pat. No. 6,493,748 disclose information management system.

Klien, US Patent Application Publication 2001/0029537 A1 reducing information transmission time.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571)

Art Unit: 2622

272-7354. The examiner can normally be reached on 9am - 5:30pm M,W, F (7am-3:30pm T,Th).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2622

March 29, 2006